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ASSEMBLY INTERIM COMMITTEE ON WAYS AND MEANS

ROBERT W. CROWN, CHAIRMAN

SUBCOMMITTEE ON LEAVE PAY

Digest of Transcript [of the]

May 7, 1962
Room 2117, State Capitol
Sacramento, California

Members of the Subcommittee

CHARLES J. CONRAD, Chairman

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LEVERETTE D. HOUSE
FRANK LANTERMAN
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GAIL VESSELS, Secretary

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FOREWORD

The following is a digest of the testimony received at a hearing in Room 2117 of the State Capitol, Sacramento, held by the Assembly Interim Committee on Ways and Means Subcommittee on Leave Pay on May 7, 1962.

Except where direct quotes are indicated, the remarks following the name of each witness are not verbatim but have been paraphrased to facilitate reading.

The official transcript was digested by Legislative Intern Robert Courtemanche under the direction of Committee Chairman Robert W. Crown.

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ROLL CALL
of
SUBCOMMITTEE MEMBERS

Members Present:

Assemblyman Charles J. Conrad
Assemblyman Leverette D. House

Also in Attendance:

Assemblyman Tom Bane

Not Present:

Assemblyman Bruce F. Allen
Assemblyman Frank Lanterman
Assemblyman Lester A. McMillan
Assemblyman Eugene G. Nisbet
Assemblyman Gordon H. Winton

May 7, 1962 - Morning

CHAIRMAN CHARLES J. CONRAD: (Summary of opening remarks.)

"This is a meeting of the Subcommittee on Leave Pay of the Assembly Interim Committee on Ways and Means."

Traditionally, specific bills are not referred to interim study, but their subject matter is, and the study is not limited to bills previously refused passage.

Today's hearing will deal primarily with temporary military leave for training, following presentation of a general outline of the Leave Pay studies by the subcommittee staff. State specialized training programs and the proposed leave for Civil Air Patrol search and rescue missions will be primary subjects of a subsequent hearing in Los Angeles, at which the topic of military leave also will be continued.

DON CHRISTEN, CONSULTANT TO THE SUBCOMMITTEE ON LEAVE PAY:

Introduction--Studies of the Subcommittee on Leave Pay

"This study, relative to leaves of absence for public employees, is being conducted by the Subcommittee on Leave Pay of the Assembly Interim Committee on Ways and Means, pursuant to HR 456, Unruh, 1961 Session, which stated that 'From the standpoint of equity to public employees, the maintenance of production in public agencies, the values and needs of permitting leaves of absence with pay, and the cost of such leaves, it would be desirable to review policies and practices under the existing law for the purpose of recommending desirable changes.'

"Such a survey would encompass the four broad types of paid leave now permitted by the State: leave for military duty; leave for rest or recuperation, including holidays, vacations and sick leave; leave related to employment, including that for hearings, examinations and training; and leave for assigned public service, including jury duty and witness duty.

"This subcommittee has also been assigned the study of AB 64, Carrell, 1961 Session, proposing to allow leave with pay for Civil Air Patrol search and rescue missions. This type of leave may be considered as involving a fifth broad area, not yet entered by the State: leave for voluntary non-military public service.

"In view of the impossibility of adequately covering all these areas of leave during the present interim, it was decided that the 1961-62 period be used for completion of an intensive pilot study of leave pay. Three areas were selected for this pilot study: the proposed C.A.P. leave, state specialized training programs, and temporary military leave for training.

"The broad principles to be investigated in these areas, which are the same applicable to all areas, are:

1. The purpose of the leave.

2. The areas of state and local government in which present and proposed regulations have effect.

3. How programs within or outside of the agency are affected by the leave policies.

4. Compensation to the individual.

5. Permissible duration for the leave.

6. Costs.

7. Controls.

8. Prevailing practices.

"Generally, the provisions of state law here under scrutiny are of interest to counties, cities, and other governmental bodies in California, because they frequently apply or are followed in all jurisdictions. Where savings to the State would ensue from revision, generally they would follow in a larger total amount in the local jurisdictions.

"Where policy is at issue, and where changes would significantly affect the operations of the departments involved, the findings of this committee will be equally relevant to counties, cities and other jurisdictions."

(The following staff survey of the temporary military leave question is reproduced in full):

May 7, 1962
Assembly Interim Committee on
Ways and Means, Subcommittee
on Leave Pay

TEMPORARY MILITARY LEAVE FOR TRAINING

This statement is a summary of staff work that has been done to date in the area of temporary military leave for training. It will show what have been found to be the essential issues, as well as what are proposed and possible alternatives to existing regulations and some of the possible consequences. It will present cost data, and a number of comparisons with prevailing practices elsewhere.

The authority for this study derives from HR 456, Unruh, 1961, which proposed a study of leaves of absence for public employees that "shall encompass but is not limited to the subject of leaves of absence with pay for purposes of training or duty with military forces or with reserve and auxiliary components of the military services."

We are speaking primarily of the recurring type of military leave, such as the annual two-week National Guard or reserve encampments. Other special training leave not falling within the normal area of active duty is also included.

The statutory issues with which we are presently involved include the following:

1. What is properly the statutory definition of "temporary military leave of absence"?

Section 389 of the Military and Veterans Code defines "temporary military leave of absence" as "a leave of absence from public employment to engage in ordered military duty for a period which by the order is not to exceed 180 calendar days including travel time for purposes of military training, drills, encampment, naval cruises, special exercises or like activity as a member of the reserve corps or force of the armed forces of the United States, or the

National Guard, or the Naval Militia."

If the code were to be amended to reduce the period included in the definition of such leave, it would be necessary to give attention to the words "by the order" and "including travel time," since it could be the intent of the legislature that individuals going on training missions which on the face of the order or with the inclusion of travel time slightly exceed the stated limit of days, should receive compensation and other perquisites for at least a portion of this time.

2. What should be the permissible period for such leave?

Section 395 of the Military and Veterans Code specifically entitles the employee to 180 days of temporary military leave of absence as defined in section 389. Neither section at present appears to limit the number of times an employee may take such 180 days or less in a year.

Legislation introduced in 1959 and again in 1961 proposed to reduce the period defined and allowed from 180 to 30 days. The same legislation proposed to limit the entitlement to one 30-day period per fiscal year.

The primary effect of such a change would be to reduce the period for which an employee on temporary military leave could continue to accrue vacation time, sick leave and other perquisites, and this becomes an argument for economy. Another argument in favor of this change is that there have been some reported abuses in the way of employees going on extended leave with very short notice to the agency. In the case of a very small agency, or a local jurisdiction, this could be a severe problem.

3. What should be the compensation during such leave?

4. What should be the limitation of this period of compensation?

Section 395.01 of the Military and Veterans Code presently allows 30 calendar days per fiscal year with full pay for public employees on temporary military leave.

Legislation in 1959 and 1961 proposed to reduce the period of payment to 15 days plus travel time, and to reduce the state compensation by the amount of the individual's military base pay.

The arguments in favor of the change in days allowed is that 30 days is in excess of normal requirements, since the standard summer encampment period is two weeks. On the other point, it has been said that there is an unnecessary and inequitable double compensation of the employee for his time.

A subsidiary point of consideration here is that this section currently operates on a fiscal year basis, although in the past it was on a calendar year basis. If the period allowed were reduced to two weeks, it is very possible that many employees might find themselves taking summer encampment twice in the same fiscal year and losing out on payment for one period. This would seem less likely in a calendar year arrangement. The proposed legislation would also have altered section 395.03 to coincide with other changes.

5. What guarantee should there be for re-employment of the individual after the training period?

Section 395 of the Military and Veterans Code guarantees an absolute right of restoration to the former office or position or status for the person returning from temporary military leave.

The 1959 and 1961 legislation did not propose to alter this section directly. However, reducing the circumstances under which this section applies could conceivably abridge these rights, and drafting of new legislation would have to be done with care.

6. Additional issues.

The 1959 and 1961 legislation made one further proposal: that no state compensation should be allowed for one who accepts military training duty on a non-pay status.

In addition, legislation undertaken in this area would have to meet two other considerations: how it might correlate or conflict with federal standards and regulations, and how it might correlate or conflict with other state laws and policies.

COSTS

The legislation introduced in 1959 and 1961 in this area was intended to tighten the Military and Veterans Code from a fiscal viewpoint while retaining the benefits necessary to avoid loss to the individual in taking part in military programs.

The amendments to sections 389 and 395 would have saved the State the costs of continuing certain fringe benefits to individuals on training missions longer than 30 days, which is twice the generally required minimum. The amendments to 395.01 would have saved the State the amount of the individual's military base pay for two weeks, and the amount of the individual's state pay for an additional two weeks should he go on a longer leave.

If the individual were to choose to take his military training on his normal vacation time, in which case he personally would get more money although he loses his vacation time, the saving to the state would be in man-hours rather than dollars.

A survey made by the State Personnel Board in Fiscal Year 1958-59 determined that 1,808, or 2.2 per cent of the state employees took annual temporary military leave. (Of these, about 1,400 are reservists, and about 400 National Guardsmen.) The average length of absence was 10.1 working days, and the average payroll cost per employee was $259 for this absence. The total cost was estimated at $468,778. In terms of man-years this would be 82.2. It was estimated that the annual cash savings from the proposed legislation would be, conservatively, $250,000.

It might be interesting at this time to point out that the Personnel Board survey figures indicate that the average state salary of the person going on military leave was $560, approximately $120 more than the salary of the average state employee. This was believed to indicate that there was a large representation in the higher ranks of the reserves.

This reinforces information from a California Military Department memo of November 8, 1961, which states that 5.9 per cent of the members of the California National Guard are public employees, but 16 per cent of the people in leadership positions in the C.N.G. are public employees.

This memo also indicated that 27 per cent of the public employees in the C.N.G., about 391 of 1,439, are state employees. This offers an indication of the relevance of these laws to other jurisdictions. Present state laws in this area bind all jurisdictions.

PREVAILING PRACTICES

Federal policy with regard to military leave for training is generally that leave of absence without loss of pay, time, or efficiency rating is allowed for up to 15 calendar days per fiscal year. Travel time, unless encompassed by the period of the orders, is not paid. Certain regulations with regard to the type of service, status before and after leave, overtime or differential pay, and other matters also apply.

The policies of other states vary greatly. The subcommittee staff on October 23, 1961, sent out a questionnaire to all other states requesting information on military leave policies. The results are shown in Appendices 1 through 5 of this report.

In summary, these are the main points:

Appendix 1. This is a state-by-state breakdown. The information is summarized in the following appendices. An asterisk in the first column indicates that the full state salary is allowed during the training period.

The second column shows those states which grant the state salary less the military base pay. The third column shows those instances in which no pay at all is granted.

The column on the extreme right offers information on how liberal policies are with regard to regular leave for active duty.

Note (f) shows that no states reported an extra pay allowance for travel time, as the 1959 and 1961 legislation proposed to do.

Appendix 2. This shows that 40 of the 45 reporting states granted full pay to all personnel on temporary military leave.

Appendix 3. Twenty-six states reported paying for only the approximate usual two-week period. Ten pay for approximately three weeks, and eight for more.

Appendix 4. The majority of states responding have statutes that bind local jurisdictions.

Appendix 5. Part I shows a variety of policies on limiting temporary leave periods.

Part II relates to control policies. One state, Idaho, requires that a certificate of attendance be presented after the training period.

Part III shows that most states figure leave on a calendar day basis, as California does. Part IV shows that most figure on a calendar year basis, as California does not.

Part V shows that a surprising number of states do not grant any pay to the employee entering regular military service. California grants 30 days full pay at the start of active duty.

Private industry generally offers less in this regard than public employers.

Appendix 6 shows the results of a questionnaire sent by the office of the Legislative Analyst to several California employers in 1958. None of these employers offered the full salary in addition to the military leave.

Appendix 7 shows the results of a 1959 Michigan survey. The State of Michigan pays the employee's salary less his military base pay. Even this is more generous than what the majority of private employers offer.

Appendix 8 is a resume' of a portion of a study of the Los Angeles area published in April, 1962, by the Merchants and Manufacturers Association. The results reinforce those of the earlier studies.

THE PURPOSES OF PAID MILITARY LEAVE

This leaves on general question for discussion, one which is really the key to the whole matter: "What purposes does paid military leave for training serve?"

There would appear to be four possible answers to this question:

1. It serves the purposes of national defense. It would probably not be possible under federal law to refuse an individual the right to go on military leave for training, even if anyone should desire this. However, there is little controversy on this point, since the Legislature and the military seem to be in general agreement that permission for such leave is desirable.

In discussion of what period leave should be allowed for, the balancing considerations should be whether any possible disadvantages to the State in a liberal allowance might outweigh the advantages to the nation of permitting long leave periods.

2. Paid military leave avoids loss to the individual in serving the nation. Many public employees could not afford the sacrifice of their state salary for the normal two weeks of encampment. Maintaining the level of the individual's salary while he is training seems to be the minimum desirable arrangement. It is not clear that a training mission adds significantly to the individual's costs.

3. Paid military leave is a fringe benefit. This answer fails somewhat since this benefit is not available equally to all public employees.

4. Paid military leave is an incentive to public service. To the extent that it maintains the normal salary of the individual, paid military leave acts to prevent a deterrent to military duty. The amount of money the employee receives beyond his normal salary is that which acts as an incentive to service.

The questions that arise in turn from this answer include whether or not it is equitable for the public employee to be receiving this extra compensation while his fellow reservist from private industry does not, and whether or not it is the proper province of the State to be providing an incentive pay in this manner rather than, perhaps, in more direct manners such as re-enlistment bonuses.

Finally, the consequences of present policies, and the consequences of proposed changes must be considered. Can it be shown that a restriction of pay policies would significantly weaken the defense programs in California? Can it be shown that private industry will tend to follow California's example in the area of liberal leave payments?

These are the policy questions which the Legislature must consider.

APPENDIX 1

SURVEY OF MILITARY LEAVE PAY POLICIES

State	Full pay	Difference	No pay	Maximum days paid	Work or calendar days	By calendar or fiscal yr.	Annual limit of leave in this category	Payments on entering regular service
California	*			30	C	F	180 days	30 days full pay
(Proposed AB 2876)		*		15	C	F	30 days	No change
Alabama	*			(a)	W	-	no limit	"No policy"
Alaska	*			16½	W	C	16½ (b)	No pay
Arizona	*			(c)	-	-	no limit	"No policy"
Arkansas	*			10	W	C	6 mo. unpaid	2 weeks pay
Colorado	*			10	W	C	12 mo. unpaid	No pay
Connecticut		*		21	C	C	30 days	No pay
Delaware	(Policies vary among state agencies)							
Florida	*			17	C	(d)	17 days	30 days pay
Georgia	(No response)							
Hawaii	*			15	W	C	15 days	No pay
Idaho	*			15	C	C	-	No pay
Illinois	*			15	C	C	-	No pay
Indiana	*			15	C	C	-	No pay
Iowa	*			14	C	C	14 days	-
Kansas Nat'l Guard Reserves	*	*		15	C	C	-	No pay
Kentucky	*			15	W	F	no limit	-
Louisiana	(No response)							
Maine	*			17	C	C	17 days	No pay
Maryland	*			15	C	-	15 days	-

(chart continued)

APPENDIX 1 (continued)

State	Full pay	Difference	No pay	Maximum days paid	Work or calendar days	By calendar or fiscal yr.	Annual limit of leave in this category	Payments on entering regular service
Massachusetts Nat'l Guard Reserves	*		*	no limit			-	No pay
Michigan		*		15	C	C	15 days	No pay
Minnesota	*			15	C	C	-	No pay
Mississippi	*			15	C	C	15 days	"No provisions"
Missouri	*			10	W	C	no limit	-
Montana	*			10	W	C	2 weeks	"No policy"
Nebraska	*			15	C	C	no limit	15 days pay
Nevada	*			15	W	C	"varies"	30 days pay
New Hamp.	*			15	C	C	-	-
New Jersey	*			(c)	-	-	no limit	No pay
New Mexico	*			15	C	F	-	No pay
New York	*			30	C	C	no limit	Varies
North Caro.	*			15	C	C	discretionary	No pay
North Dako.	*			30	C	C	-	-
Ohio	*			31	C	C	no limit	No pay
Oklahoma	(Information not sent)							
Oregon	*			15	C	C	no limit	No pay
Pennsylvania	*			15	W	C	-	-
Rhode Island	*			15	C	F	15 days	30 days pay
South Caro.	*			15	C	-	-	-
South Dako.	*			15	W	C	15 days	No pay
Tennessee	*			15	W	C	15 days	(e)
Texas	*			15	C	F	15 days	"No policy"

(chart continued)

APPENDIX 1 (continued)

State	Full pay	Difference	No pay	Maximum days paid	Work or calendar days	By calendar or fiscal yr.	Annual limit of leave in this category	Payments on entering regular service
Utah	*			15	W	C	15 days	No pay
Vermont	*			15	C	F	no limit	No pay
Virginia	*			15	C	C	no limit	No pay
Washington	*			15	C	C	no limit	No pay
West Va.	(No response)							
Wisconsin	*			15	W	C	no limit	No pay
Wyoming			*	0	-	-	15 days	No pay
				(f)				(g)

(a) 21 days allowed at any one time. Number of times per year unrestricted.

(b) Additional time could be allowed if it were shown that the military training would contribute to the individual's training in his particular state job.

(c) Paid for all days engaged in field training.

(d) Restriction applies in any 12 month period.

(e) Individual receives full state pay for the period of induction. Once he is accepted, pay ceases.

(f) 43 states indicated that no additional payment was authorized for travel time. The remaining states did not answer this question.

(g) In many cases, even if no salary is paid, other benefits accrue. Some states make payment for accrued annual leave at the time of induction; others hold this leave in reserve until the employee returns from military service.

APPENDIX 2

SUMMARY OF MILITARY LEAVE PAY POLICIES -- BASIC FORMULAS

1.	The employee receives his full state pay for the period in addition to the basic federal military pay and other allowances.	40 states (including California)
2.	The employee receives from the state the difference between the basic federal military pay and his state pay, if the state pay is lower	2 states
3.	National Guardsmen receive full pay as in "1", and reservists receive partial pay as in "2".	1 state
4.	National Guardsmen receive full pay as in "1", and reservists receive no state pay.	1 state
5.	No paid leave is granted.	1 state
6.	No response.	5 states
	TOTAL	50 states

APPENDIX 3

SUMMARY OF MILITARY LEAVE PAY POLICIES MAXIMUM PERIOD OF PAY ALLOWANCE

1.	Unlimited	3 states
2.	31 calendar days per year	1 state
3.	30 calendar days per year	3 states (including California)
4.	21 work days at any one time	1 state
5.	21 calendar days per year	1 state
6.	17 calendar days per year	2 states
7.	16½ work days per year	1 state
8.	15 work days per year	8 states
9.	15 calendar days per year	19 states
10.	14 calendar days per year	1 state
11.	10 work days per year	4 states
12.	No response	6 states
	TOTAL	50 states

APPENDIX 4

APPLICABILITY OF TEMPORARY LEAVE PAY STATUTES

State statutes apply to local jurisdictions in the following states:

California	Maryland	Nebraska	Oregon	Total
Alabama	Massachusetts	New Jersey	Rhode Island	20 states
Arizona	Mississippi	New Mexico	South Dakota	
Florida	Missouri	New York	Texas	
Hawaii	Montana	Ohio	Utah	

Local jurisdictions are not bound by state statutes in the following states:

Indiana	Maine	New Hampshire	Vermont	Total
Iowa	Michigan	North Carolina	Virginia	14 states
Kansas	Minnesota	North Dakota	Wisconsin	
Kentucky	Nevada			

Application varies in the following states:

Alaska	Colorado	Total
		2 states

No response to this question:

Arkansas	Idaho	Pennsylvania	Washington	Total
Connecticut	Illinois	South Carolina	West Virginia	14 states
Delaware	Louisiana	Tennessee	Wyoming	
Georgia	Oklahoma			

APPENDIX 5

ADDITIONAL INFORMATION FROM STATE QUESTIONNAIRES

I---Stated limits of "temporary leave" periods:

Unlimited	13 states	
Limitation exceeds paid period	5 states	(incl. California)
Limitation equals paid period	14 states	
Varied policies	2 states	
No information	16 states	

II--Presentation of certified copy of orders to agency:

Required	29 states	
Not required	10 states	(incl. California)
No information or no general policy	11 states	

(continued)

III-Calendar day or work day basis:

Paid leave figured on work days	14 states	
Paid leave figured on calendar days	27 states	(incl. California)
Other or no information	9 states	

IV--Calendar year or fiscal year basis:

Limit stated during calendar year	31 states	
Limit stated during fiscal year	6 states	(incl. California)
Limit stated for any 12 month period	1 state	
Other or no information	12 states	

V---Pay upon entry into regular active duty:

30 days full pay granted	4 states	(incl. California)
21 days full pay granted	1 state	
15 days full pay granted	1 state	
2 weeks full pay granted	1 state	
Pay granted for period of induction	1 state	
No salary granted for any period	24 states	
"No policy" (presumably, non-paid leave)	4 states	
Information not available	14 states	

APPENDIX 6

LEGISLATIVE ANALYST'S SURVEY, 1958
Private Industry Policies on Temporary Military Leave Pay

Two weeks pay less military base pay allowed:

Standard Oil Company of California
Pacific Telephone and Telegraph Company (15 days per fiscal year)
Pacific Gas and Electric Company (per calendar year)
Southern California Edison Company (per calendar year)
Stanford Research Institute, Menlo Park
Atchison, Topeka and Santa Fe Railway Company
Matson Navigation Company (17 days paid less total reserve pay)

Unpaid military leave granted:

Crown Zellerback Corporation, San Francisco
Grove Valve and Regulator Company, Oakland
Douglas Aircraft Company, Inc., Santa Monica
Lockheed Aircraft Corporation, Burbank
Southern Pacific Company, San Francisco
Kaiser Services, Oakland

APPENDIX 7

1959 STATE OF MICHIGAN SURVEY
(15 Days Paid Leave)

		Private Industry	
	Public Employers	Salaried Employees	Hourly Employees
Full Pay Plus Military Pay	60 %	7 %	4 %
Supplement Military Pay To Equal Full Pay	23 %	32 %	27 %
Use Paid Vacation For Military Tour	19 %	46 %	39 %
Leave Without Pay	10 %	37 %	51 %

Note: Columns add to more than 100 % because some employers allow option.

APPENDIX 8

MERCHANTS AND MANUFACTURERS ASSOCIATION SURVEY, 1962

	A	B	C	D
Company pays difference between government and regular pay	14.6%	19.2%	13.3%	28.0%
Full pay not to exceed earned vacation. Additional time without pay	8.4%	10.0%	12.0%	22.7%
Full pay not to exceed earned vacation. Additional time paid difference between government and regular pay	2.1%	2.9%	2.7%	5.3%
Miscellaneous pay practices	2.5%	2.5%	-	5.3%
Leave without pay	61.9%	49.4%	24.0%	37.3%
No established practice	8.4%	13.4%	8.0%	1.3%
"No hourly/salaried employees"	2.1%	2.5%	40.0%	1.3%

A--239 Manufacturing Firms--121,849 Hourly Employees

B--239 Manufacturing Firms---55,983 Salaried Employees

C---75 Nonmanufacturing Firms--35,686 Hourly Employees

D---75 Nonmanufacturing Firms--54,119 Salaried Employees

MR. CONRAD: How many individuals would have been affected by A.B. 2876 of the 1961 Session?

MR. COURTEMANCHE: According to the Personnel Board 1958-59 survey, 1,808 state employees took temporary military leave in that fiscal year. Each would be involved to the extent that their salary would be reduced by the amount of the military base pay. According to the Military Department, 17 per cent of the public employees in the California National Guard took more than fifteen days military leave, and this 17 per cent took an average of 7.5 days in excess of fifteen. These would be affected also by losing all their state pay beyond 15 days.

MR. ROY STEPHENS, ASSISTANT BOARD SECRETARY, STATE PERSONNEL BOARD:

It might be helpful to have a summary of the changes proposed by A.B. 2876.

"At the present time, anyone who is called for temporary military duty, the training type, has an absolute right to absent himself from his state work for up to 180 days. Under the proposed law he would have an absolute right for only 30 days. After that,it would be a permissive or leave of absence situation.

"Under the present law, a person who goes on an ordered temporary duty has an absolute right to receive his full state pay for up to 30 days in any one fiscal year. Under the proposed law, he would have an absolute right to receive pay from the State for only 15 days, plus travel time, and there

would be deducted from that the base pay he is receiving from the military. So, in effect, the State would make up the difierence so that he would continue to receive his current income for the 15 days.

"Under both the present and the proposed law, the person on such leave continues to accrue vacation rights." "As to retirement, the present and proposed law makes no change." "As to seniority for purposes of lay-off and other rights that surround seniority, the law as proposed makes no change."

The employee going into service for an initial 6-months term receives pay for his first 30 days under other sections of the law. His subsequent training periods fall within the temporary leave for training sections.

A new survey has not been made, but based on some information that has been maintained, and estimates from the previous survey data, "we would estimate that as of this fiscal year of 1961-62, the annual cost to the State for this type of military leave of absence is somewhat slightly in excess of $669,000 in direct payroll cost. The State at the present time has some 55,875 men--very few women are affected by this; the previous survey showed just a handful, so we've ignored women in the estimate although there are a few who qualify. Approximately 3.8 per cent of the men take temporary military leaves of absence and receive some pay each year."

"On an average, they're gone two working weeks, ten days. And on an average, the State pays those who take this leave

some $315. Most of them who go on the leave have a state salary running between $600 and $700 on the average." "...the percentage impact is fairly small because the state payroll is so huge, $541 million." "So it's less than one per cent of the payroll that we're talking about."

MR. BANE: Could you offer an expression of opinion?

MR. STEPHENS: "This involves the broad questions of public policy related to the military defenses of the country as well as the personnel, and the Personnel Board has not in the past and hasn't currently endeavored to formulate specific recommendations as to what the policy of the State should be in connection with the benefits for those who are members of the military forces."

MR. BANE: "...because you attempt to develop policy and advice on policy that brings the state employee on an equal basis with employees in private enterprise...wouldn't you also take a step further and advise that we give the same military benefits to the state employee that are given to the employee in private enterprise?"

MR. STEPHENS: "As a general policy that the Legislature has laid down to us...we have supported and do support the principle of maintaining equity.... And to the extent that the State makes an exception from that, as it does and has historically in connection with members of the armed forces, we have recognized that this is a deviation from that basic policy and one that could perhaps get to be very costly and harmful if it got extended too far. And yet, we have hesitated

to inject ourselves into the question as to the wisdom of the legislative decision...."

MR. BANE: "Can you think of any reason why the state employees should have more liberal benefits in this field than a person who is working in private enterprise?"

MR. STEPHENS: "...speaking personally, because the Personnel Board as a five-man board has not taken a stand on it...to the extent that the State gets out ahead of other employers, I think we become vulnerable to excessive costs and problems and that by and large it's unfortunate."

MR. HOUSE: "At the present time, is the employee required to give any notice of his leaving?"

MR. STEPHENS: "There is no legal requirement of advance notice other than I guess one day just as a matter of the mechanics of the thing." It has not been an extensive problem, but there have been difficult situations.

MR. CHRISTEN: "I might also mention at this time for clarification that our figures were based on a payroll cost of around $489,000 and a savings as was indicated through the proposed legislation of about $250,000. Now, based on Mr. Stephens' new data of $669,000, we're talking about a savings possibly in the area of $350,000, updating that information." "The major portion of saving...is in the area of paying the difference between their base pay and regular salary."

BRIGADIER GENERAL CARL H. AULICK, ASSISTANT ADJUTANT GENERAL, STATE OF CALIFORNIA:

"...as a Department we will have to oppose anything that

would reduce the military forces of the nation, including the California National Guard."

"There are other states, and a number of other states, that have more generous military benefits...than the State of California."

"...we feel that our laws in California are generally adequate. I agree with the hearing so far. There are areas in there which should no doubt be tightened up or clarified."

The Federal Government has taken and retained the lead in providing pay for individuals participating in military training. Almost all states will grant a minimum of 15 days leave with full pay.

It is difficult today to get people to serve in the military, and government must lead in encouraging them. The individual going on leave usually has to work hard to clean up his work, and comes back to find his desk stacked up. His home expenses continue, but he is faced with additional costs at camp.

"...as long as we have this policy of a small, active Army and a large reserve, we as agencies of government are going to have to encourage membership in these reserve components." "...if government should change its leave policies, we feel that industry will be much tougher on its policy." Prior to World War II there were few benefits for persons on military leave, and we're concerned with the impact of change on private employment now that most industries have improved their leave policies.

"...I think it would hurt enlistments in the Guard. I'm confident it would hurt people presently in the Guard...." In addition to the annual two weeks, there are 48 drills. These are paid drills, but "the average officer or noncommissioned officer in a leadership position puts in considerably more time than he ever gets paid for."

"...the 180 day figure...was put in shortly after World War II to enable individuals to go away...when they had to take certain specialized training. Now...all reserves have become much more technical...they have to go away to service schools, not only to advance themselves professionally, but also to be able to perform their assignments."

We do feel that an employee should give adequate warning when going on leave. "We have a working agreement with the Highway Patrol. When a member...wants to go away to school... he must secure a letter with his application requesting clearance from the Highway Patrol to leave."

"...in closing, we would urge that you provide to public employees in California that which is comparable to that provided by the majority of the other states." Other states have had military departments longer, and they and we have found that some of the best leaders are from the public employees group.

MR. BANE: What sort of expenses increase for a man on military leave?

GENERAL AULICK: Living expenses, additional uniforms, communicating with the family, necessary social activities at

the base. The officers have to pay their own meals. Meals are provided for enlisted men.

MR. BANE: "Then you would differentiate here between the enlisted man whose meals are provided and housing is provided (and the officer)." For the enlisted man, costs could be reduced since his home food and utility costs decrease. "...you might even come to the conclusion that if we...gave the officer more liberal benefits than the enlisted man, it might encourage the enlisted man to study and improve his position as far as leadership is concerned."

GENERAL AULICK: (In response to Mr. Courtemanche.) Officers and enlisted men either get a ticket or funds to purchase their own tickets when they are traveling.

MR. MARGOLIS: "You put this question pretty much on a dollars and cents basis. When the hearings were held by the Military and Veterans Affairs Committee, there was a great deal of testimony about recognizing the patriotic service that was performed by state employees who enter this activity. Do you differ from that view, or do you feel that this is the case?"

GENERAL AULICK: "...there is a patriotism that we hope to keep alive by membership in these reserve components."

The Constitution gives the states the right to have a military force, and such a force must have members. Certain incentives are provided to encourage people to belong to it. "...it's still a patriotic thing of the individual. But if individuals do not do it without encouragement, maybe we had better continue to encourage them."

MR. MARGOLIS: "...you've indicated that this is a morale factor, that the removal of this extra benefit would depress morale and perhaps affect enlistments."

GENERAL AULICK: "We believe that, yes."

MR. MARGOLIS: "Have you found in the operation of this that there's any problem of morale with the great bulk of National Guardsmen coming from private industry comparing their benefits with those of the relatively smaller percentage of state employees?"

GENERAL AULICK: Using myself as an example, having spent 17 years in the Guard while in private employment, I was envious of this, but not mad at it.

"...certainly you're not going to lose the National Guard if you cut out all the benefits; but I think you have a morale problem here from those presently in."

MR. MARGOLIS: "The premium pay arrangement which this amounts to is a kind of back-door way of encouraging enlistments among the state employees, and there is on the part of many people some feeling that this is a bad principle, apart from the National Guard situation, that it's a bad precedent for the State to provide or allow for double pay in any kind of activity. At the same time, and I'm expressing what I believe to be the Speaker's view and motive in presenting legislation like this, there is concern about the enlistment problem in the Guard and the necessity to deal with that problem. Are there not ways of encouraging enlistments or improving morale without using this arrangement which has serious consequences for other kinds of state employment policies?"

GENERAL AULICK: "I am certain that we could work out something that would not completely discourage people. But that is the whole thing we're concerned about, the encouraging of people here, as I say." If the Federal Government or the State should change its policies, there would be a serious impact on private industry employees. "...what other type of benefit we could give in lieu of the leave with pay, I don't offhand know, but we would certainly be willing to work with any committee to try to resolve it." The Military Department has not made a study of other possibilities.

MR. MARGOLIS: "...the point that I'm getting at is that if we say, as I think we should, that this is a service that the State needs and wants, then we ought to go at it through the front door and say, those state employees or public employees who will devote their time to this function which the State regards as extremely valuable will be recognized for that in some direct benefit way without using this arrangement that throws other aspects of state employment out of kilter."

GENERAL AULICK: "There are a number of things that we could research and come up with some ideas on. But I don't know that there'd be any real savings. But it may be that it puts in a truer perspective what we're actually doing."

(In response to Mr. Courtemanche.) We did not consider the six-month mandatory training period as part of this temporary military leave.

MR. CONRAD: Isn't the National Guard also a security force to the State itself?

GENERAL AULICK: "It has been many times." In the past 16 years the Guard has been out more than 22 times, with 6,000 man days of service to the State of California--strictly state-paid duty.

MR. WALLACE HENDERSON, CALIFORNIA STATE EMPLOYEES ASSOCIATION:

"My purpose is not merely to protect an incidental pay benefit to these state employees who have volunteered their services to the National Guard, but rather to protest the much longer and vastly more important benefit to all of the many thousand members and their families as well as all other Californians. That benefit is the protection and security afforded by a strong, well-trained, well-disciplined California National Guard."

"...it's certainly not a great amount of money. We're not talking about scandals by people with money; we're talking about employees who work for a living...."

"We believe the question is not then whether the State has an obligation to the individual to provide compensation for time taken off for military purposes, but whether the State has an obligation to all the people to provide for their safety and security in maintaining a strong defense." "Nor does this pay represent dual compensation. Patriotism...cannot be bought."

"But such service can be recognized legitimately. It can be encouraged by recognizing that the military leave policy now provided by the State of California represents a wise and prudent approach to the recruitment and maintenance of a citizen

guard, that it tends to mitigate some of the financial hardships which would otherwise fall upon substantial citizens, small people mostly and family men, whose financial obligations are attuned to their regular civilian occupation."

MR. MARGOLIS: "Ordinarily the State Employees Association takes a strong position on this question of employment benefits being comparable to those of private industry. Now, this is an area we've seen in which the State is way out ahead of private industry. Does this represent a change in principle, or is this for some reason an isolated instance in which you would prefer to see private industry not be the standard?"

MR. HENDERSON: "We think this is a little different because it has to do with the Federal question...."

MR. MARGOLIS: "Well, do I gather correctly that your position is that where state employees have some benefit beyond that of private industry you want to hang on to it, and where they don't meet private industry, you want to get that?"

MR. HENDERSON: "I believe basically that if we have good benefits, we should keep them. If they're illogical, and we have to be reasonable, then we'd have to give them up." "...we should talk about...much bigger areas...and not chip away at something that has to do with defense as well as a small amount of money."

(In response to another question.) I would be willing to urge adoption of a policy of adequate notification by the employee going on leave.

MR. MARGOLIS: "What about the question of the length of the leaves?"

MR. HENDERSON: "...I will be glad to take (this question) to our Executive Board meeting, and I'll present it to them." "...I can see in some areas that certain compromises can be made where it's glaringly unfair for the state employees to be away out in front of anything that's reasonable in any other state."

MR. MARGOLIS: "What do you think the Association's position would be if the Legislature were to want to try some method of recognizing military service such as providing a credit for advancement of some kind over other state employees who don't engage in military activity?"

MR. HENDERSON: "I don't know. They might maybe take this in addition to it...we would have to equate what this would do to the employee...we'd have to certainly ask our membership this question."

MR. MARGOLIS: Assuming that the small percentage of employees active in the Guard were for this idea, what would the Association's position be on giving these recognition over the 95 per cent who don't take part?

MR. HENDERSON: Though the numbers are small, these people are important. I would not like to guess the Association's position on this. "But if you have certain suggestions to make, not that we would trade one for the other necessarily, we might be able to work out something as far as incentives are concerned."

MR. CONRAD: (To Mr. Margolis.) "Would we have any budgetary problems if we followed your suggestions? Right now

we know where this money is. It's a cost to the State of California for military service. If we said no, we will give advance credit...might it complicate departmental budgets?"

MR. MARGOLIS: "This certainly may be true. I've no idea of the budgetary implications of that plan. The only thing that I feel recommends it is that it's more of a front-door approach to recognizing this service, and I don't know how this affects others, but I know the Speaker feels that, regardless of what department it's applied to, the very principle permitting double pay is a bad one and it's one that could be very legitimately criticized. And it's his hope that some method can be found to meet this issue head-on instead of using this arrangement which can have broader implications for other departments of state government."

MR. DAVE MOTES, SENIOR ADMINISTRATIVE ANALYST, BUDGET DIVISION, DEPARTMENT OF FINANCE:

"In reviewing the subject of military pay, I think the Department of Finance would recommend that we follow the practice as generally followed in private industry." "We don't want to do anything that would put us in the position of recommending something less--we have to keep competitive, of course, with private industry. But on the other hand, from a fiscal point of view we see no reason why we should be more generous."

MR. JAMES E. FRANK, 1st VICE PRESIDENT FOR ARMY, DEPARTMENT OF CALIFORNIA, RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES:

(Mr. Frank is proprietor and president of a San Francisco export packing company, and a Brigadier General in the U.S. Army Reserve, occupying the position of Assistant Division Commander of the 91st Division, Northern California's largest U.S. Army Reserve organization.)

The R.O.A. includes officers of all components of the armed forces. The Department of California is the largest of its 54 departments, with current membership close to 6,000.

"At the 34th Annual Convention of the Department, held Friday, April 27 through Sunday, April 29 at Fresno, the Department Council unanimously adopted a resolution to support continuation of the several provisions of the current codes and to oppose any proposals which would lessen the privileges now in effect for the employees of the State and state subordinate instrumentalities with regard to military leave."

"California's military leave provisions have set an example...there has been a gradual improvement in the practices of private industry. Any reduction on the part of the State of California would be a 'death blow' to any further response of private employers and would be a precedent for withdrawal of some of the hard gains referred to, including gains since 1958."

"The professional standards now being required of officers in the Reserves of the Armed Forces necessitate schooling which is almost impossible to complete without residence courses of

three months or longer. Senior officers must attend short courses of one or two weeks each year to maintain current readiness. All officers of the Active Reserves must attend fifteen to seventeen days of annual training each summer."

"The civilian economy must help support (military proficiency of officers) by enabling those willing to devote a considerable portion of their private time to also live a reasonably normal life--particularly to have vacations with their families."

"While military education is primarily applicable to officers, it is also available to and often required of enlisted personnel. Of particular importance is the observation that a substantial proportion of the public employees who are active members of the Reserve are...much above the normal. These are the people who occupy the key positions in our Reserve units."

(In response to Mr. Courtemanche.) "In addition to base pay, an officer receives a quarters allowance depending on his grade and a subsistence allowance which, if he's married, is $42 a month. You cannot maintain a home and maintain yourself away from home...within the allowances available. For example, I will be going to Fort Leavenworth in two weeks...and I feel it will cost me at least $75 beyond what I am paid for my expenses."

"In the case of Fort Leavenworth there are quarters provided although you pay a charge per day, and meals are available, but they cost several times the subsistence allowance."

(Further response.) "(Recruiting) is an inevitable problem that is getting even more difficult...and what is more important...

the maintenance of the interests of those who are in the program... is one that is of great concern to those of us who have been in the program as long as I have."

MR. C. D. O'SULLIVAN, PRESIDENT OF THE NATIONAL GUARD ASSOCIATION OF CALIFORNIA:

(Mr. O'Sullivan, Major General (NG) US (Retired), was Adjutant General and Commanding General of the 49th Infantry Division.)

"I would like to shift the emphasis a little bit more to the National Guard because that's where my main experience and interest lies, although I did have 12 years in the Reserve."

The C.N.G. has four times been called out in federal service: in 1916 for the border, and immediately thereafter again for World War I, in 1940 prior to Pearl Harbor and continuing into the war, again in 1950 a large portion was called out, including the entire 40th Division, and in 1961 again, in time of peace, and a substantial portion is still out. "...it seems to me a most unfortunate time to propose any measure that would downgrade the position of the reserve components, and curtailing any privilege or benefit that they have received over a long period of time is downgrading the reserves, is indicating that California does not appreciate the services that they have rendered."

"Before the State takes any action to consider reducing the fringe benefits of the Guard, I think they should also consider what the cost would be to the State to maintain a fraction of the organization that is now available of trained

men, disciplined men...with hundreds of millions of dollars of equipment available for state service. And the only cost to the State in an emergency is the actual cost of the operation at that time."

"I believe that a great deal more should be done by the State for the Guard than is being done now because the State is directly benefitting. However, don't take away something first before there is an adequate and proper substitute."

"There's nothing harder, more distasteful than recruiting, and anything that makes it harder, gives more excuses, should certainly be avoided...."

"...the Guard probably gives the best return for the dollar raised of any of the military forces." "...the cost of a Guard division in relation to a regular Army division is something like one to six whereas the difference in efficiency...is not over 10 to 15 per cent...say 85 per cent for a good regular Army outfit... 70 to 75 per cent for a good Guard outfit...."

"...emergencies are coming up all the time. Private industry is only indirectly benefitted...the State has a greater direct interest and benefit from the people working for the State and serving in the National Guard."

"We feel that when we get a man and have him in the Guard for a little while, he's a better citizen." "...the training he gets in the Guard...makes him more valuable to the State...."

MR. BANE: "If we cease giving double pay to the 5.9 per cent of the Guard who are public employees, then you feel that the 5.9 per cent are going to quit the Guard?"

MR. O'SULLIVAN: "Oh, no, certainly not. They'll continue to make patriotic sacrifices as they have for four hundred years."

MR. BANE: "Then, really, we're not talking about hurting the Guard, are we? What we're talking about is whether we're going to give double pay or not."

MR. O'SULLIVAN: "No. You're hurting them by doing them an injury, taking away something that they have reason to expect that they would get when they enlisted...that they have got for many years, and you're taking it away at a time when greater demands are being made daily upon them."

MR. BANE: "Your approach here of the great patriotism involved on the one hand and then if we don't give them double pay, they're going to...it's kind of hard for me to reconcile."

(Discussion followed of the N.G. insurance program. Mr. Bane asked questions about the low rates, $3.40 per thousand per year, without regard to age, and the statement that more was being paid out than in. Mr. Sullivan said that personnel above 25 were taking more advantage of it. Cal-Western handled the insurance, apparently at a loss to date. Mr. Bane asked why there were so many fatalities in the Guard. Mr. O'Sullivan replied that any such large organization, of 25,000 men, is subject to accidents.)

MR. WILLIAM L. SHAW, LIEUTENANT COLONEL IN THE CALIFORNIA NATIONAL GUARD, SACRAMENTO:

(Mr. Shaw is on the staff of the Adjutant General, Selective Service Section, C.N.G. He is also a Deputy Attorney General in the Department of Justice.)

A survey was conducted by Major General Clarence Pease, Division Commander, in the 49th Infantry Division of the C.N.G., in some 30 Northern California communities. It revealed that 7 per cent of the officer personnel were city employees in Northern California, 6 per cent county employees, and 12 per cent state employees. No computation of special district employees was made. (Mr. Bane questioned Mr. Shaw's application of these figures by inference to the top four enlisted grades.)

MR. BANE: "Could I ask where the 49th Infantry is located?"

MR. SHAW: "It's in Northern California...from about Modesto north to the Oregon line, approaching the coast counties and to Nevada."

MR. BANE: "Most of them from Sacramento County?"

MR. SHAW: "Oh, no. Mostly from outside Sacramento County." (A general discussion of figures on National Guard enrollment from public jurisdictions followed.)

GENERAL AULICK: "(The following) figures were as of August 31, 1961. 5.90 per cent of all members of the California Army and Air Guard are public employees. Now, that is approximately 25,000 people. Of these 5.9 per cent, 73 per cent are enlisted men, 27 per cent officers.

"Now, here's the breakdown as to their employment. 27.23 per cent are state employees, 22.28 per cent are employed by a county, 20.46 per cent a school district, 28.49 per cent a city, 1.54 per cent a utility district.

"Now, the only other figure we have percentage-wise, based on this overall per cent, is that 16 per cent of all California

National Guardsmen in leadership positions, officers and non-commissioned officers, are public employees."

MR. SHAW: We are involved with the expansible army concept, first enunciated by John C. Calhoun, Secretary of War in 1820, whereby a small standing army is expanded quickly in time of emergency from a large reserve.

(In the subsequent dialogue, Mr. Shaw illustrated the expenses of training trips by his own experience, and stated that they rose in 1961 over 1960. He was not able in response to Mr. Bane's questioning to establish at this time the relationship between his costs, and his pay and allowances for the period of duty.)

(Mr. Shaw left the witness stand.)

MR. MARGOLIS: "It might be worth thinking about as one of the alternatives to the problem that's raised by this hearing of the possibility of budgeting all of the costs that go to supplementing the pay of state employees who take part in the National Guard through the Military Department so that even if you don't talk about altering the amount of pay that an individual gets, even if in the end the amount of pay that a state employee gets who takes part in this activity doesn't change, at least you know exactly how much the costs are that pertain to his employment in an agency of state government and how much the costs are that pertain to his being a member of the National Guard. Apparently at present there are not very good records of how many state employees are members of the

Guard and how many of them take leave and how much they're paid for it and so on, and it might be possible through a directive to the departments or something contained in the budget to require a recording of this information regardless of any changes in policy so that you know how much and what's involved here. It might be one of the recommendations that come out of this hearing that would be worth something at least on an information basis for the future."

GENERAL AULICK: (In response to Mr. Bane.) A Lieutenant Colonel would be paid a little more than $400 for 15 days of training. That does not include mileage, for which a ticket or exact payment is provided. It would include other allowances.

MR. BANE: "So, for 15 days, (Mr. Shaw) received $400. He told me that in 1961 it was costing him $7 a day. That's $105 cost, and he got $400 pay."

MR. CONRAD: There being no further business, we stand adjourned.

APPENDIX

The following statements were submitted to the Subcommittee by General Aulick. These were presented previously at the hearing of the Military and Veterans Affairs Committee in Yountville on November 7, 1961, and have been reprinted in the transcript of that hearing. The comments are digested here.

MAJOR GENERAL RODERIC L. HILL, ADJUTANT GENERAL OF CALIFORNIA AND DIRECTOR OF THE CALIFORNIA MILITARY DEPARTMENT:

We feel that government provides paid military leave for two reasons: "in recognition of the degree of self-sacrifice involved in membership in these components" and in encouragement of this membership.

The uses are two: for the mandatory annual training, and for schooling to gain special proficiency. "...a minimum of 12 weeks of schooling is required to attain the rank of captain in reserve components, and, in total, almost a year is required for an officer to attain the rank of colonel."

"I think there are basically two reasons for...the concentration of leadership among the public employees' group." "Number one, the generally high caliber of public employees. Government has set high standards of qualifications and proficiency. These are the sort of men you need in a leadership job, whether in the Government or in the military. I think the other reason, frankly, is the military leave privilege that I have previously cited. This has enabled public employees to meet the requirements of efficiency in schooling, enabled them to take this annual active duty for training."

Most officers serve from a feeling of personal obligation, and spend much more than paid time in their duties. Family and employment conflicts arise. There is a resultant "worrisome" officer shortage.

Two conclusions arise: "...many reductions in our present 180 day military leave privilege would seriously interfere with the schooling program necessary for success of our reserve component service and program...(and)...any curtailment of paid military leave privilege for public employees would tend to add to our already serious problem of officer shortage."

MR. WILLIAM M. BLATT, LEGAL ADVISER TO THE NATIONAL GUARD BUREAU, DEPARTMENTS OF THE ARMY AND OF THE AIR FORCE, PENTAGON, WASHINGTON, D.C.:

(Mr. Blatt, in the National Guard since 1928, is also a Colonel, Judge Advocate General Corps, Hawaii Army National Guard.)

"...I favor the retention of such benefits for the reserve components as they now enjoy, and every reasonable improvement of their status...."

(Mr. Blatt's statement continues with a description of Guard service and a history of federal military leave policy.)

On the question of paying the state pay minus the military base pay, it should be noted that the federal government makes such a provision for jury duty leave. "It is significant that Congress, which is presumed to know the law, has not made similar provisions in the military leave field."

"What can be done to improve the lot of the volunteer citizen soldier to encourage the best men to enlist, and train to defend and advance our cause, must be done. I hope our Government, Federal and State, will lead the way, and I trust the members of your legislature will view military leave for the public employees of California as one of the incentives and marks of appreciation, to be cheerfully and generously bestowed, rather than as a possible target for achieving economy in Government."

MILITARY LEAVE AND OTHER BENEFITS

A chart, the result of a survey by the California Military Department, was presented by General Aulick to the Subcommitee. The results differ in some details from those of the Subcommittee questionnaire. The following portions of it pertain to this study. (All states reported that military leave with pay in some form is granted to public employees.)

COLUMN I ------Number of days leave with pay
COLUMN II ------Number of days of military leave without pay
COLUMN III ------Employer pays difference between military and regular pay

State	I	II	III
Alabama	21	**	No
Alaska	16½	**	No
Arizona	15	**	No
Arkansas	15	0	No
California	30	180	No
Colorado	15	**	No
Connecticut	xx	**	Yes
Delaware	15	15	Yes/No
Florida	17	0	No
Georgia	15	90	No
Hawaii	15	**	No
Idaho	16	**	No
Illinois	15	**	No
Indiana	10	15	No
Iowa	30	0	No
Kansas	15	**	Yes
Kentucky	15	**	No

(chart continued)

State	I	II	III
Louisiana	15	0	No
Maine	15	**	No
Maryland	15	**	No
Massachusetts	17	0	No
Michigan	xx	0	Yes
Minnesota	15	**	No
Mississippi	15	**	No
Missouri	10	**	No
Montana	15	0	No
Nebraska	15	0	No
Nevada	15	0	No
New Hampshire	15	**	No
New Jersey	x	**	Yes/No
New Mexico	15	**	No
New York	30	**	No
North Carolina	15	**	No
North Dakota	30	0	No
Ohio	30	0	No
Oklahoma	30	0	No
Oregon	15	0	No
Pennsylvania	15	**	Yes/No
Rhode Island	15	0	No
South Carolina	15	**	No
South Dakota	15	**	No
Tennessee	15	0	No
Texas	15	0	No
Utah	15	0	No
Vermont	15	**	No
Virginia	x	**	No
Washington	15	**	No
West Virginia	30	**	No
Wisconsin	15	**	No
Wyoming	15	90	No

** Military leave authorized in excess of 15 days. Number of days not specified.
x Unlimited, number of days not specified.
xx Pays difference between military and regular pay.